IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12147 of 2004

Between:

Bondala Saraswathi Rao S/o Subbanna
Achiyyapalem,Buttaigudem W.G.District

..... PETITIONER

AND

1 The Superintendent of Police, W.G.District Eluru
2 The Joint Collector W.G.District Eluru
3 The Sub Divisional Magistrarte, Revenue Divisional Officer

Jangareddygudem, West Godavari District
4 The Mandal revenue officer , Buttaigudem Mandal,
West Godavari Dist.
5 The Station House Officer , Buttaigudem P.S., Buttaigudem,
West Godavari Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue order direction writ more particularly writ of *Mandamus* declare the action of the respondents in not providing protection to the petitioner's land situated in R.S.No.47 Ac. 30-14 cts R.S.No.43 Ac 0.34 cts RS.No.45, Ac 5.76, RS.No.48 Ac 1-20, R.S. 49/1 RS. 6-51 , RS.No.126 Ac. 4.00cts of koya Rabjahmundry village buttaigudem village and Mandal, W.G.District , as illegal arbitrary and contrary to the provisions of C.R.P.C. and consequently direct the respondent to provide necessary protection as and when required by the petitioner to maintain law and order in the village and to pass such further order or orders as are necessary in the interest of justice.

Counsel for the Petitioner: Mr.P.R.K.Amerandra Kumar

Counsel for the Respondents: The Government Pleader for Home

The Court at the admission stage made the following ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the respondents in providing protection to the petitioner's lands admeasuring Ac.30.14 cents in R.S.No.47, Ac.0.34 cents in R.S.No.43, Ac.5.76 cents in R.S.No.45, Ac.1.20 cents in R.S.No.48, Ac.6.51 cents in R.S.No.49/1, Ac.4.00 cents in R.S.No.126, situated at Koya Rajahmundry Village, Buttaigudem Mandal, West Godavari District.

According to the petitioner, he owns the above-mentioned lands. The authorities under the Scheduled Areas Land Transfer Regulations upheld the title of the petitioner. However, while the petitioner was carrying on the agricultural operations, the tribals of the schedule area, as the lands are situated in the schedule areas, are not allowing the petitioner from carrying on the agricultural operations, therefore, the petitioner made a complaint to the fifth respondent seeking protection to the lands. But, the respondents are not providing adequate protection, therefore, the petitioner has come up with the present writ petition.

Heard learned counsel for the petitioner and the learned Government Pleader for Home.

In view of the complaint already made by the petitioner, it is obligatory on the part of the respondents to provide adequate protection from the tribals from being interfering with the agricultural operations by the petitioner.

Under the above circumstances, the writ petition is disposed of directing the respondents to consider the complaint of the petitioner and pass appropriate orders for providing adequate protection to the lands of the petitioner and to the petitioner for carrying on agricultural operations.

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15-07-2004

Note:Furnish C.C in two days

B/o

vrn

To

1 The Superintendent of Police, W.G.District Eluru
2 The Joint Collector W.G.District Eluru
3 The Sub Divisional Magistrarte, Revenue Divisional Officer

Jangareddygudem, West Godavari District
4 The Mandal revenue officer , Buttaigudem Mandal,
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5 The Station House Officer , Buttaigudem P.S., Buttaigudem,
West Godavari Dist.

6 Two C.Cs. to the Government Pleader for Home, High Court

Buildings, Andhra Pradesh, Hyderabad (OUT).

7 Two C.D. Copies.